

REMARKS

Claims 1-18 are pending. Claims 1-4 and 11-14 have been withdrawn from consideration. Claims 5-8 are currently amended; claims 9 and 10 are original; and claims 15-18 are new. Reconsideration of the application is requested.

Election/Restrictions

The application was said to contain three groups of inventions, Group I (claims 1-4), Group II (claims 5-10), and Group III (claims 11-14). During a telephone conversation with David Patchett on December 12, 2008, a provisional election was made without traverse to prosecute the invention of Group II. We hereby affirm this election.

Abstract

The abstract was objected to because it contains less than 50 words. A replacement abstract is submitted on the previous page.

Information Disclosure Statement (IDS)

The cited reference DE 3331016 in the IDS filed November 3, 2006 was not considered because the wrong reference document was submitted. We submit the correct reference in German and translated into English.

The same IDS was not considered because it did not include a concise explanation of the relevance, as it was presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. We disagree with this statement and submit that the relevance for each of the 7 foreign references are provided in the specification. Pages and beginning line numbers for relevant excerpts are provided in the following table:

Foreign Reference	Page and Beginning Line Number for Relevant Excerpts
DE 3331016 A1	page 2, line 21 page 22, line 10
JP 59-75975	page 28, line 21
JP 06-504077	page 1, line 32 page 3, line 30 page 11, line 3 page 16, line 21
JP 08-311414	page 3, line 13
JP 09-502213	page 18, line 4
JP 2000-038555	page 33, line 30
JP 2002-167558	page 21, line 11

Drawings

The drawings were objected to because the description does not mention reference character 3. In response, a paragraph on page 11 of the description that describes FIG. 3 is amended to recite that reference character 3 is a release paper. Likewise, a paragraph on page 12 of the description that describes FIG. 4 is amended to recite that ‘release paper 3’ is ‘release paper 3a and 3b, respectively.

The drawings were objected to because the description does not mention reference character 53. In response, a paragraph on page 43 of the description that pertains to FIG. 5 is amended to recite that reference character 53 refers to the polystyrene sheet that replaces the release paper (which we know is disposed on adhesive layer 2a).

The drawings were objected to because they do not include ‘sheet-like support 13’ (page 11, line 10). In response, the description has been amended to recite ‘sheet-like support 12’.

Double Patenting

Claims 5-10 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of Mizuno et al. (US 7,179,529) in view of Rusin et al. (US 2003/118970).

Patentability of New Claims

New claims 15-18 are believed to be patentable for at least the following reasons. Support for new claim 15 can be found on page 13, lines 12-15. Support for new claim 16 can be found on page 28, lines 7-9. Support for new claim 17 can be found on page 27, line 29 to page 28, line 6. Support for new claim 18 can be found in claim 4.

§ 112 Rejection

Claim 7 was rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Accordingly, claim 7 has been amended. Withdrawal of this rejection is respectfully requested.

§ 102 Rejection

Claims 5-10 were rejected under 35 USC § 102(b) as being anticipated by Rusin et al. (US 2003/118970).

Claim 5 states that a pressure sensitive adhesive composition forms a pressure sensitive adhesive layer, and the composition comprises a styrene-based block copolymer and a basic component. We respectfully submit that Rusin et al. do not teach any components, monomers, etc. that are basic. We assume the standard chemical definition of a base (which can be found in a general dictionary) wherein a base is a compound that can be protonated with a hydrogen cation, or that has a pair of electrons capable of being shared with a hydrogen cation. None of the materials taught in Rusin et al. meet this criterion.

Rusin et al. cannot be used to reject the present application under 35 USC § 102(b) because, at the very least, not all of the limitations of claim 5 are taught in Rusin et al. Claims 6-10 and 15-18 are patentable because they each depend on claim 5. Withdrawal of this rejection is respectfully requested.

In conclusion, this application is believed to be in condition for allowance.
Reconsideration of the application is requested.

Respectfully submitted,

July 7, 2009
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